

Exhibit 21

(REDACTED)

This Exhibit contains the specific pages of the deposition Plaintiffs are referencing. The entire deposition was separately filed in the record pursuant to LR 5.1 and the M.D. Ga. CM/ECF Administrative Procedures Manual.

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

WILHEN HILL BARRIENTOS,)
ET AL.,)
)
Plaintiffs,)
) CIVIL ACTION FILE
vs.)
) NO: 4:18-CV-00070-CDL
CORECIVIC, INC.,)
)
Defendant.)

DEPOSITION OF MATTHEW "MAC" MOYE

ATLANTA, GEORGIA

THURSDAY, OCTOBER 21, 2021

(Reported Remotely)

REPORTED BY: TANYA L. VERHOVEN-PAGE,
CCR-B-1790

FILE NO. 200939

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October 21, 2021

9:00 a.m.

Deposition of

MATTHEW "MAC" MOYE, held in Atlanta,
Georgia before Tanya L. Verhoven-Page,
Certified Court Reporter and Notary Public
of the State of Georgia.

APPEARANCES OF COUNSEL

On behalf of the Plaintiffs:

SOUTHERN POVERTY LAW CENTER
400 Washington Avenue
Montgomery, Alabama 36104
BY: MEREDITH STEWART, ESQ.

BY: CAITLIN SANDLEY, ESQ.

PERKINS COIE
1155 Avenue of the Americas
New York, New York 10036
BY: ALAN HOWARD, ESQ.

ALSO PRESENT: Vidhi Bamzai

On behalf of the Defendant:

Struck Love Bojanowski & Acedo
3100 West Ray Road
Chandler, Arizona 85226
BY: JACOB LEE, ESQ.

- - -

1 M. MOYE

2 takes the receipt over to the bank so that the
3 transaction can take place. The other people in my
4 office do the actual work.

5 Q Okay. And when you were Stewart County
6 manager from 2006 to 2008, did your duties involve
7 Stewart Detention Center?

8 A Yes. It's exactly the same thing.

9 Q So dealing with the cash payments from
10 ICE to CoreCivic?

11 A Correct. And I'll just add that, not
12 long after I started the facility opened officially.
13 That was October the 1st, 2008.

14 Q You said the facility opened
15 October 2008, you mean Stewart Detention Center?

16 A Yes.

17 Q And once it opened in 2008, you then left
18 Stewart County to go work for Stewart Detention
19 Center?

20 A Excuse me. It opened in October -- I
21 told you the wrong date. October 1st, 2006, and
22 then, yes, February of 2008 is when I left Stewart
23 County Commission, and I took a break in that. And
24 then the following July -- it was July 15th, 2008
25 that I started work out there.

1 M. MOYE

2 Q You started to work for CoreCivic at
3 Stewart Detention Center?

4 A That's correct.

5 Q Okay. And counsel for your former
6 employer, CoreCivic, is representing you in this
7 deposition today, correct?

8 A Yes.

9 Q Do you have any family members that work
10 or worked for CoreCivic?

11 A I do.

12 Q Who are they?

13 A My daughter, Laura, works at CoreCivic
14 now.

15 Q Does she work at Stewart Detention
16 Center?

17 A She works, yes, at Stewart Detention
18 Center.

19 Q And what is her job at Stewart Detention
20 Center?

21 A She's a case manager.

22 Q Do you have other family members who work
23 for CoreCivic at Stewart Detention Center?

24 A No.

25 Q How long has your daughter, Laura Moyer,

1 M. MOYE

2 MS. STEWART: You can answer.

3 THE WITNESS: The -- the -- they
4 shifted towards letting the commissioner
5 have the job of being the county manager.

6 BY MS. STEWART:

7 Q Okay. So it wasn't a shift from liberal
8 to more conservative or Republican to Democrat?
9 That's what I thought you meant.

10 MR. LEE: Object to form.

11 THE WITNESS: No, I'm sorry. That
12 really isn't -- doesn't have much dynamic
13 here.

14 BY MS. STEWART:

15 Q Understood. Okay. So let's go back to,
16 I think, July 2008, you start at CoreCivic.

17 What -- what was the first job you had
18 with CoreCivic at Stewart?

19 A Case manager.

20 Q Did you have any other positions other
21 than case manager?

22 A I was unit manager for a while, from 2012
23 to somewhere around -- maybe in 2015.

24 My mom -- my elderly mom had to go in a
25 nursing home and there were a lot of issues, so I

1 M. MOYE

2 asked to step back to case manager so that I would
3 have more time with her.

4 Q When you were first case manager, how
5 long were you case manager?

6 A Roughly four years.

7 Q Okay. So roughly 2008 to 2012?

8 A Yes. I think I started as a unit manager
9 on the first day -- it might have been -- I think it
10 was the first day of January in 2012.

11 Q And was that a promotion, going from case
12 manager to unit manager?

13 A Yes, it was.

14 Q It involved more responsibility?

15 A That's correct.

16 Q And so -- I think you said in 2015 you
17 took a step back from case manager to become -- or,
18 excuse me -- from unit manager to become a case
19 manager again?

20 A That's correct.

21 Q And then how long were you a case manager
22 the second time around?

23 A Another two years, I think.

24 Q Until 2017?

25 A March the 1st -- yes, March the 1st was

1 M. MOYE

2 my last day.

3 Q And after that you became Stewart County
4 manager again, correct?

5 A That's correct.

6 Q During your time at CoreCivic, did you
7 ever receive a bonus?

8 A Yes.

9 Q Do you remember what that bonus was?

10 A My recollection is that I got two bonuses
11 while I was -- while I was the unit manager, and they
12 were each \$800.

13 Q Do you know why you received those two
14 bonuses?

15 MR. LEE: Foundation.

16 MS. STEWART: You can answer.

17 THE WITNESS: Because we achieved
18 a -- I believe it was a safety goal. We
19 reduced the number of fights in the
20 units, I think.

21 BY MS. STEWART:

22 Q UM is a common abbreviation for unit
23 manager, correct?

24 A I didn't understand the question.

25 Q UM is a common abbreviation for unit

M. MOYE

on the bulletin board.

Q And when you said units 1F and 2F were generally where people wanted to be so you would let them know during recruitment that if they signed up to work in the kitchen they would be moved there, why -- why -- why were those units where people generally wanted to be?

A They -- there were just small perks like extra movies or something like that. They were allowed to switch out the number of movies more often and maybe more movies at a time being available.

I have tried to remember back to some of those things but I don't recall what we did that was different in that pod than another pod, but it was just -- I mean, we -- we endeavored to keep the spirit up in those pods. So it was commonly known across the facility the kitchen workers liked to be in their pods.

Q And those kitchen pods with the extra perks, as you said, were they offered to individuals as an incentive to join the work program?

A I think that -- I don't remember having gone around and talked about movies at all.

My recollection is that the fact that the

1 M. MOYE

2 kitchen workers made more money than any other
3 work -- volunteer worker was probably the single big
4 factor involved in people wanted that extra cash.

5 Q And during your time at Stewart, did the
6 kitchen workers make four dollars a day?

7 A At one point, they did. They -- it was
8 less than that when I started. My recollection is
9 that, when I started out there in 2008, it was
10 probably three dollars a day.

11 Q Okay. So, in your view, the primary
12 incentive to work in the kitchen was the extra money?

13 A Yes.

14 Q And why do you think that was?

15 A The -- it's a variety of things. Some
16 people were saving up money for when they went home.
17 Some people bought extra food from the commissary.
18 Some people give -- the motivation was about the
19 phone cards. They were able to put more money on a
20 phone card and have more phone conversations.

21 It's just a variety of reasons. Some
22 people -- I saw people sending money home because
23 they were working in the kitchen pod. It's -- every
24 detainee has his own motivations.

25 Q Do you know if wages in the kitchen were

1 M. MOYE

2 one that actually puts it on the detainee's account.

3 Q Did you feel it was important to ensure
4 that detained workers got paid on time?

5 A I think it's paramount, yes.

6 Q Paramount. Why did you think it was
7 paramount?

8 A If somebody works, they need to be paid.

9 Q Did failure to pay the detained workers
10 on time have an impact on your ability to recruit
11 those workers?

12 A In theory, yes. I always made sure it
13 happened.

14 Q Did CoreCivic ever fail to pay workers on
15 time or fail to pay them at all?

16 MR. LEE: Form and foundation.

17 THE WITNESS: My answer is yes.

18 BY MS. STEWART:

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The image consists of approximately 15 horizontal black bars of varying lengths, stacked vertically. These bars represent redacted text from a document. The lengths of the bars vary significantly, with some spanning most of the width of the image and others being much shorter. The bars are solid black and are set against a white background.

Mr. Moye, when you were at Stewart, did CoreCivic provide phone cards to detained people to incentivize them to work?

MR. LEE: Object to form.

THE WITNESS: On an infrequent basis, yes.

BY MS. STEWART:

Q And then how would that work?

A I hadn't thought about it until you said

1 M. MOYE

2 it, but the -- the chief would get a limited number
3 of cards. I'm trying to remember how it had
4 happened. He would get a limited number of cards and
5 give it to the staff. And it probably was to get
6 them to work more than five shifts a week.

7 I don't -- I'm vague on that. I don't
8 recall exactly, but I know I saw it happen.

9 Q Were phone cards used to incentivize
10 detained workers to work more than 40 hours a week?

11 MR. LEE: Foundation.

12 THE WITNESS: It -- while I don't
13 have a specific recollection, I sort of
14 think that's the case.

15 BY MS. STEWART:

16 Q Did CoreCivic ever pay detained workers
17 with phone cards instead of wages?

18 MR. LEE: Object to form.

19 Foundation.

20 THE WITNESS: No. If it did, it
21 would have been to the detainee's benefit
22 but, no, that -- that never happened as
23 far as I ever saw.

24 BY MS. STEWART:

25 Q And why do you say if it did happen, it

1 M. MOYE

2 would be to the detainee's benefit?

3 A Because the phone card is worth more than

4 a person could make in a day.

5 Q And fair to say that the phone cards were
6 as good as money to the detained workers because it
7 was a way that they could call family and friends?

8 A That's correct.

9 MR. LEE: Object to form and
10 foundation.

11 BY MS. STEWART:

12 Q And were you aware, while you were at
13 Stewart, that detained workers -- or detained
14 individuals had to pay for phone time?

15 A Say that again, please?

16 Q When you were at Stewart, were you aware
17 that detained people had to pay for phone time?

18 A That was the case, yes.

19 Q Do you recall how much phone calls cost?

20 A It was -- it was a twofold system. If
21 calling -- if I recall correctly, there was one price
22 for in-state calls and there was another price for
23 out-of-state calls. And I do not recall what that
24 price was. If -- it amounted to a certain number of
25 minutes that the call -- that the card was worth, but

1 M. MOYE

2 I -- let's say all of it was in-state, then all of it
3 would have been a certain number of minutes, if that
4 got you -- I -- I want to say it was 28 minutes, but
5 I -- I don't know.

6 Q When you were unit staff, did detained
7 people complain to you about the cost of phone calls
8 at Stewart?

9 A I did receive those kinds of complaints,
10 yes.

11 Q Would you say they were frequent?

12 A Fairly frequent, yes.

13 Q Would you say they were one of the most
14 common complaints you heard?

15 MR. LEE: Object to form.

16 THE WITNESS: It was a common
17 complaint. I've not tried to sit down
18 and think about what common complaints
19 were, but it -- I would say that probably
20 everybody that's ever worked out there
21 for six months heard it, certainly.

22 BY MS. STEWART:

23 Q When you were at Stewart, did CoreCivic
24 ever provide extra food to detained workers?

25 MR. LEE: Form and foundation.

1 M. MOYE

2 MS. STEWART: You can answer.

3 THE WITNESS: The -- and by

4 CoreCivic, I'm going to interject here,

5 I'm talking about Trinity. Early on in

6 my employment, Trinity might give double

7 portions to kitchen workers. That got

8 stopped at a certain point along the way.

9 And so -- and I hadn't thought

10 about it until you said it, but that

11 was -- that was a big incentive to work

12 in the kitchen was double portions. And

13 so whenever that stopped, it made it

14 harder to get people to work in the

15 kitchen.

16 BY MS. STEWART:

17 Q And do you recall what year it stopped?

18 A I do not.

19 Q Do you know why it stopped?

20 A I think it goes back to ICE's basic
21 policy, if you offer an incentive to somebody, then
22 everybody needs to get it.

23 Q Do you know if, when you were at Stewart,
24 CoreCivic staff provided detained workers with extra
25 food?

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M. MOYE

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8 BY MS. STEWART:

9 Q Mr. Moyer, I want to switch gears and just
10 ask you a couple of questions about your job as
11 county manager.

12 A Okay.

13 MS. STEWART: You can take down
14 Exhibit 21, Vidhi.

15 BY MS. STEWART:

16 Q Now, Stewart County has an agreement with
17 ICE to house detained immigrants and, in turn,
18 Stewart County also has an agreement with CoreCivic
19 to use CoreCivic's Stewart facility to house them.

20 Does that sound right?

21 A Yes, I think so.

22 Q And I think you said this earlier, but
23 you were working as county manager at Stewart in 2006
24 when Stewart first entered into the contract with
25 ICE; is that right?

1 M. MOYE

2 record, Ms. Page.

3 (Brief pause.)

4 MS. STEWART: Back on the record.

5 Just a few more questions, and we can let

6 you go, Mr. Moyer.

7 BY MS. STEWART:

8 Q When you were at Stewart, did you -- what
9 were the top five complaints you received about the
10 food?

11 A About the food?

12 Q Uh-huh.

13 A We -- people, surprisingly, didn't
14 complain about the food a lot. They -- the most
15 popular day for food was chicken day, which was
16 Wednesdays. People love that chicken. But because
17 of the way it was cooked, sometimes when you bit into
18 it, it had a red tint to it, which was more by the
19 way it was cooked than anything. It wasn't -- it
20 wasn't raw. It was just sort of like barbecue. It's
21 kind of red. Pork barbecue has a red tendency in the
22 middle. So we would sometimes get detainees
23 complaining about having raw chicken.

24 When they had beans and rice, there were
25 sometimes complaints about the little pebbles that

1 M. MOYE

2 come in that. Also, the beans have a little
3 cotyledon in them that when it's about to sprout, and
4 those sprouts remind detainees of worms. So they'd
5 complain about the worms in the beans.

6 They -- I think, young as the detainee
7 population was, probably the number one thing is they
8 wanted more food.

9 I'm trying to think of other things.

10 They -- there was very -- some cultural objections,
11 as well. Jamaicans generally complained that the
12 food didn't suit their taste. They didn't like the
13 seasoning and that kind of thing. And people that
14 were not Hispanic complained about how much Hispanic
15 food that there was at Stewart Detention Center.

16 But overall, it is not like I would have
17 expected it just going out there. It was not that
18 much complaint. That's not an issue. The big issue
19 when I was out there was uniformly that ICE agents
20 didn't come around to the units often enough.

21 Q Did you ever receive complaints that
22 potatoes were served too often?

23 A Yes, I did.

24 Q Did you ever receive complaints about the
25 food being watery?

1 M. MOYE

2 A I would say yes, but it wasn't frequent.

3 Q Did you ever receive complaints about the
4 meat being unidentifiable?

5 A Yes, I would say so but that, again, was
6 not one of the major complaints.

7 Q And did you ever receive complaints about
8 the temperature of the food not being hot enough?

9 A And so, those kinds of complaints, yes,
10 but the staff had the authority to swap the plates
11 out, and typically would. If somebody, you know,
12 would -- there's just no point in arguing that kind
13 of thing. If somebody complains about it, just give
14 them a different plate.

15 MS. STEWART: Okay, Mr. Moye. Is
16 there anything else that you want to add
17 in response to my questions today?

18 THE WITNESS: I would love to have
19 a copy of my prolific e-mail output. Is
20 that possible?

21 MS. STEWART: Well, you can ask
22 your attorney to give you a copy of the
23 deposition and the transcript should --
24 can include a copy of the e-mails that we
25 discussed today, but beyond that, you'll

C E R T I F I C A T E

STATE OF GEORGIA:

FULTON COUNTY:

I hereby certify that the foregoing deposition was reported, as stated in the caption, and the questions and answers thereto were reduced to written page under my direction, that the preceding pages represent a true and correct transcript of the evidence given by said witness.

I further certify that I am not of kin or counsel to the parties in the case, am not in the regular employ of counsel for any of said parties, nor am I in any way financially interested in the result of said case.

Dated this 3rd day of November,
2021.

Tanya L. Verhoven-Page

Tanya L. Verhoven-Page,
Certified Court Reporter,
B-1790.